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PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 3621**

AP 3621

#23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tadamitsu MIYAWAKI et al.

Group Art Unit: 3621

Application No.: 09/388,935

Examiner: J. Hayes

Filed: September 2, 1999

Docket No.: 104144

For: CONTENTS DISTRIBUTION METHOD AND SYSTEM

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JUN 23 2003

Sir:

GROUP 3600

Further to the June 16 personal interview with Examiner Hayes, and in reply to the Office Action mailed May 2, 2003 for the above-identified application, reconsideration in view of the following remarks is respectfully requested.

Claims 1, 4-8 and 11-15 are pending.

The undersigned attorney acknowledges and thanks the Examiner for the courtesy extended during the June 16 personal interview. The points discussed during the interview are re-emphasized in this Request for Reconsideration.

I. The Claims Define Patentable Subject Matter

Claims 1, 4-8 and 11-15 stand rejected under 35 U.S.C. §103(a) over Dillon (U.S. Patent No. 5,727,065) in view of Bowman (U.S. Patent No. 5,999,623) and Downs (U.S. Patent No. 6,226,618 B1). The rejection is respectfully traversed.

In particular, neither Dillon, Bowman nor Downs, individually or in combination, disclose or suggest a contents distribution method including encrypting and distributing contents along with summary information showing a summary of contents to the plural users, displaying summary information only if decoding coding information accompanying the encrypted contents can be utilized by the user wherein the decoding information determines which encrypted contents among the distributed contents can be utilized by the user, as recited in independent claim 1, and similarly recited in independent claim 7.

The Office Action on page 3, lines 21-22 admits that Dillon does not teach, disclose or even suggest the above features of the independent claims.

Bowman does not compensate for the above-noted deficiencies of Dillon. Bowman pertains to enabling an authorized receiver station to decrypt encrypted information broadcast by a transmitter station, and for decrypting the information within the authorized receiver station. See, for example, Abstract of Bowman. As an example, Bowman discloses that as in Fig. 1, the receiver station (A-D) to decrypt as many encrypted sub-blocks of information (SBa-SBn) as are broadcast from the transmitter station 6 throughout the duration of particular ones of the time periods P1-Pn. See, col. 4, lines 27-67. However, Bowman does not teach, disclose or even suggest displaying summary information only if decoding information accompanying encrypted contents can be utilized by a user wherein the decoding information determines which encrypted contents among the distributed contents can be utilized by the user.

The Office Action asserts that Downs discloses an electronic content delivery system for providing digital content in secure containers to a plurality of users and further teaches that summary information is included in the encrypted contents container and wherein the summary information is not displayed unless it has been decrypted using the decryption information. See Office Action on page 4, lines 12-17.

On the contrary, Downs discloses that a Content Acquisition Tool launches whenever a metadata link (Downs defines metadata as data related to a content. See col. 9, lines 20-25) is selected at a Content Promotions Website. The selection of the metadata link causes the metadata to be downloaded, which the Content Acquisition Tool opens. Displayed information includes, for a music example, the graphic images associated with a song, information describing the song, a preview clip of the song and etc. See col. 73, lines 13-39. Stated differently, Downs allows for the metadata to be freely available so that a user may review the metadata to determine whether the user may want to purchase the contents associated with the metadata.

As such, Downs fails to teach, disclose or even suggest displaying summary information only if the coding information accompanying encrypted contents can be utilized by a user whenever the decoding information determines which encrypted contents among the distributed contents can be utilized by the user. Accordingly, Downs fails to disclose or suggest the above-noted features of the independent claims.

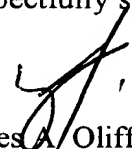
Because the applied references fail to disclose this feature, any combination of the references would not have resulted in the claimed invention. Accordingly, independent claims 1 and 7 define patentable subject matter. Claims 4-5, 8 and 11-15 depend from the independent claims, and therefore also define patentable subject matter. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

II. Conclusion

In view of the foregoing amendments and remarks, this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 4-8 and 11-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,



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Date: June 19, 2003

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